

A G E N D A

BOARD OF SHELBY COUNTY COMMISSIONERS

CHARTER FORM OF GOVERNMENT

DECEMBER 8, 2003

1:30 P.M. COMMISSION CONVENES

CALL TO ORDER Deputy Sheriff Larry Powell

INVOCATION Reverend John D. Sanctus, Teen Challenge

PLEDGE OF ALLEGIANCE

ROLL CALL

FORD **Approval of Minutes of Previous Sessions**
ADOPTED **November 24, 2003**

C O N S E N T A G E N D A

Resolutions of Memorial, Sympathy and Commendation

Ordinances

Zoning and Subdivisions

MOSS 1. **Resolution approving various subdivision contracts, plats,**
ADOPTED **extensions, bond releases, etc. as recommended by the**
(A-F) **County Engineer.**

Reports and/or Resolutions of Standing Committees

KIRK 2. **Resolution extending the 2003 Special Session of the Shelby**
ADOPTED **County Board of Equalization.**

KIRK 3. **Resolution approving contract with Pyramid Electric, Inc. for**
ADOPTED **electrical system upgrades at 1075 Mullins Station,**
appropriating funds in the amount of \$490,000.00 from the FY
2003/2004 Budget for CIP Project No. 101710, Office Buildings.

KIRK (DEFERRED TO 12/22/03)	4. Resolution to approve a contract with Gateway Companies, Inc. in the amount of \$1,000,000.00 for the purchase of personal computer hardware and accessories for departments of Shelby County Government.
KIRK (DEFERRED TO 12/22/03)	5. Resolution to approve a contract with Thomas Consultants, Inc. in the amount of \$1,000,000.00 for the purchase of personal computer hardware and accessories for departments of Shelby County Government.
KIRK ADOPTED	6. Resolution approving expenditure of funds in the amount not to exceed \$180,201.00 to Trane, a division of American Standard, Inc., for the installation, operation, and removal of an emergency temporary chiller for the Criminal Justice Center at 201 Poplar.
KIRK ADOPTED	7. Resolution to approve Lease Agreement with Southland Investment Partners to provide office space for the Shelby County Clerk's office for a five and a half (5 ½) year period beginning January 1, 2004 through June 1, 2009 in the amount of \$2,400.00 for the remaining fiscal year and then \$11,400.00 annually.
LILLARD ADOPTED	8. Resolution authorizing Amendment Number 1 to contract number CA023181 with Barge, Waggoner, Sumner & Cannon, Inc. for the design services for Shelby Drive from Harvest Knoll and Hacks Cross Road, amending the amount appropriated for the Contingency Funds to Contract No. CA023132 in Resolution No. 13 adopted June 3, 2002.
LILLARD ADOPTED	9. Resolution approving expenditure of funds by Shelby County Government to MHC Kenworth for the purchase of various vehicles in the amount of \$121,946.00.
LILLARD ADOPTED	10. Resolution authorizing execution of an agreement with WesPac Pipelines – Memphis, LLC for construction, operation and maintenance of a pipeline system originating on President's Island, as approved by the Board of Commissioners of the Memphis and Shelby County Port Commission on August 21, 2003.
AVERY ADOPTED	11. Resolution to approve an amended License Agreement with the Regional Medical Center at Memphis in the amount of \$17,952.00 for the period March 1, 2003 – February 28, 2004 for the office space at Adams Pavilion, Memphis, TN for the Health Department's Healthy Start Initiative Program.
AVERY ADOPTED	12. Resolution to approve an amendment to a Management Services Agreement with Shelby County Health Care Corporation for the period July 1, 2003 – June 30, 2007 for Shelby County's Primary Health Care Services, to appropriate funds in the amount of \$3,800,000.00 for the period July 1, 2003 – June 30, 2004.

AVERY ADOPTED	13. Resolution to approve a License Agreement with the Regional Medical Center at Memphis in the amount of \$56,236.00 for the period July 1, 2003 – June 30, 2004 for office space at Adams Pavilion, Memphis, TN for the Health Department’s TennCare Dental Prevention Program.
AVERY ADOPTED	14. Resolution requesting approval to amend the Memphis and Shelby County Health Department FY 2003/2004 Operating Budget and to appropriate funds in the amount of \$228,286.00 carried forward from FY 2002/2003 in the Healthy Start Grant Program.
AVERY ADOPTED	15. Resolution approving a contract with Seiler Building Corp. for the Health Department Central Laboratory Renovation Phase II at 814 Jefferson, appropriating funds in the amount of \$74,200.00 from the FY 2004 Budget for CIP Project #101315, Building Improvements, and appropriating contingency funds in the amount of \$7,420.00 from the FY 2004 CIP Project No. 101315, Building Improvements.
THOMPSON ADOPTED	16. Resolution approving the nomination by the Director of Corrections to the Division of Corrections Disciplinary Review Board.
THOMPSON ADOPTED	17. Resolution amending the FY 2003/2004 Operating Budget of the District Attorney General to allow expenditure of proceeds of the Assisi Foundation of Memphis, Inc. Truancy Initiative Grant Funds that were unexpended and unencumbered at June 30, 2003.
HOOKS ADOPTED	18. Resolution to approve Addendum No. 3 to contract No. CA982454 between Shelby County Government and Sierra Computer Systems, Inc. now known as Accela, Inc. for the purpose of software licenses and maintenance support of a permit activity management system, and to appropriate funds in the amount of \$68,018.98.
MOSS ADOPTED	19. Resolution authorizing the mayor to enter into a Project Cooperation Agreement with Chickasaw Basin Authority and the Corps of Engineers for the construction of the Wolf River, Memphis, Tennessee project, and appropriating funds in the amount of \$100,000.00 from the FY 2003/2004 Budget for Project #101906, Chickasaw Basin Authority.
FORD ADOPTED	20. Resolution approving a fourth amendment to the Mercer Human Resource Consulting contract, CA033441, to provide Professional Marketing RFP Services for the Shelby County employee disability program. These services will be performed during the current budget period, which ends June 30, 2004, and shall not exceed \$30,000.00 in cost.
MOSS ADOPTED	CONSENT AGENDA

REGULAR AGENDA

Elections, Appointments, and Confirmations

Ordinances

HOOKS
(DEFERRED
TO 01/12/04)

21. **ORDINANCE – THIRD READING** – An Amendment to the Joint Ordinance by the City Council of the City of Memphis and Resolution by the Board of the County Commissioners of Shelby County, creating the Memphis and Shelby County Office of **Construction Code Enforcement** and prescribing its power and duties; providing for the creation of a Joint Board of Appeals and the election of its chairman and vice chairman; providing for an Administrator and two Deputy Administrators for the office; providing for the distribution of funds accruing to said office and for the sharing the expense of operation of said board and office by said governmental bodies; creating Code Advisory Boards and Licensing Boards; adopting the current Shelby County Construction Codes as the Memphis and Shelby County Construction Codes; and authorizing the mayors of the City of Memphis and the County of Shelby to execute said agreements.

HOOKS
ADOPTED

22. **ORDINANCE – THIRD READING** – A Joint Ordinance (STA 03-001 CC) amending the Memphis and Shelby County Subdivision Regulations adopted by the Shelby County Board of Commissioners and the City Council of the City of Memphis on December 19, 1983, being Resolution and Zoning Ordinance No. 3352, as amended, so as to make certain changes therein as follows:

Amend Section 301.3 “Preliminary Plan Requirements” paragraph D
Section 301.7 “Final Plat Requirements” paragraph C and
Section 105, “Jurisdiction/exemptions”.

HOOKS
ADOPTED

23. **ORDINANCE – THIRD READING** – A Joint Ordinance (ZTA 03-001 CC) amending the Memphis and Shelby County **Zoning Ordinance-Regulations** adopted by the Shelby County Board of Commissioners on October 6, 1980, and the City Council of the City of Memphis on October 7, 1980, being Resolution and Zoning Ordinance No. 3064, as amended, so as to make certain changes therein as follows:

Amend Section 2, “Interpretations and Definitions”; Section 26, “Overlay District Regulations” to add a new overlay district; and Section 26, FP floodplain district, paragraph I.7.

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

MALONE
ADOPTED

24. Resolution to authorize the forgiveness of loan and related accrued interest to the Fire Department Museum of Memphis, Inc. and amending the agreement adopted on April 28, 1997.

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| WILLINGHAM
(DEFERRED
TO 12/22/03) | 25. | Resolution to approve contract with Barnett Naylor/Hanscomb to assist the county administration and the Shelby County Board of Commissioners in providing analysis, technical review and value engineering recommendations regarding any and all design and construction and costs of the NBA Arena (aka Fedex Forum) in Memphis, Tennessee. |
| FORD
ADOPTED | 26. | Resolution to grant one-time cost of living bonus in December 2003 to the certain Plan B retirees. |
| FORD
ADOPTED | 27. | Resolution to authorize the payment of a one time stipend to employees, transfer interest earned from the Capital Projects Fund to the General Fund and to amend the FY 2004 Operating Budget and Salary Policy. |
| FORD
ADOPTED | 28. | Resolution to amend Shelby County Retirement System Plan A to add an oversight provision giving additional credited service to a certain participant whose credited service was lost as a result of special circumstances beyond her control. |
| KIRK
ADOPTED | 28A. | Resolution declaring a vacancy in the seat for the State of Tennessee House of Representatives District 89 and notifying the Chairman to proceed to publish notice of election for County Commission meeting of December 22, 2003. |

Announcements/Statements

Adjournment

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| FORD
ADOPTED | 29. | Resolution of Adjournment to December 22, 2003 at 1:30 p.m. |
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AGENDA # 1
DECEMBER 8, 2003

1A

SUBDIVISION: BUMPUS FARMS SUBDIVISION (S 03-022 CO)

DEVELOPER: TIMOTHY AND MARY BUMPUS

ACTION: RESOLUTION TO APPROVE THE PLAT FOR BUMPUS FARMS SUBDIVISION (S 03-022 CO) AND AUTHORIZE THE RECORDING OF THE PLAT

LOCATION: SOUTHEAST CORNER OF GRATITUDE CHURCH ROAD AND MILLINGTON-ARLINGTON ROAD

1B

SUBDIVISION: GERMANTOWN-DEXTER SC-1 SHOPPING CENTER, PHASE 4 (Z 93-135 CC)

DEVELOPER: BP OIL COMPANY

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO GERMANTOWN-DEXTER SC-1 SHOPPING CENTER, PHASE 4 (Z 93-135 CC)

LOCATION: WEST SIDE OF GERMANTOWN PARKWAY AND NORTH SIDE OF DEXTER ROAD

1C

SUBDIVISION: KEMMONS WILSON-WAYNE TODD HIGHWAY 64 P.D., PHASE II, PART OF AREA A (P. D. 88-336 CC)

DEVELOPER: B & F ADVERTISING, INC.

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO KEMMONS WILSON-WAYNE TODD HIGHWAY 64 P.D., PHASE II, PART OF AREA A (P. D. 88-336 CC)

LOCATION: SOUTH SIDE OF U.S. HIGHWAY 64, 323.31 FEET EAST OF KATE BOND ROAD

1D

SUBDIVISION: SUTTON PLACE P.D., PHASE 2 (P. D. 02-313 CC)

DEVELOPER: HOUSTON LEVEE CROSSING PARTNERS

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO SUTTON PLACE P.D., PHASE 2 (PD 02-313 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: EAST SIDE OF HOUSTON LEVEE ROAD; +/-2,790 FEET NORTH OF MACON ROAD

AGENDA # 1
DECEMBER 8, 2003

1E

SUBDIVISION: WILSON/TODD HIGHWAY #64 P.D., AREA C, PHASE 1 (P. D. 88-336 CC)

DEVELOPER: L.E. VAN EATON

ACTION: RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO WILSON/TODD HIGHWAY #64 P.D., AREA C, PHASE 1 (P. D. 88-336 CC)

LOCATION: SOUTH SIDE OF U.S. HIGHWAY 64, 349 FEET EAST OF KATE BOND ROAD

1F

SUBDIVISION: WOODLAND HILLS P.D., SIXTH AMENDMENT, PART OF PARCEL 9, PHASE 23 (P. D. 03-322 CC)

DEVELOPER: COASTAL FUELS, INC.

ACTION: RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO WOODLAND HILLS P.D., SIXTH AMENDMENT, PART OF PARCEL 9, PHASE 23 (P. D. 03-322 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

LOCATION: SOUTH SIDE OF MACON ROAD (CORDOVA ROAD); SOUTH OF THE TERMINUS OF FAR DRIVE